

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

**FILED**

# UNITED STATES DISTRICT COURT

for the

**2024 MAY 13 A 10:53**  
District of

Division

Case No.

1:24cv803  
(to be filled in by the Clerk's Office)

MUNYARADZI TICHAONA

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

MERRICK GARLAND

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## COMPLAINT FOR A CIVIL CASE

### I. The Parties to This Complaint

#### A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

|                    |                              |
|--------------------|------------------------------|
| Name               | <u>MUNYARADZI TICHAONA</u>   |
| Street Address     | <u>1944 CAIVERT STREET</u>   |
| City and County    | <u>WASHINGTON</u>            |
| State and Zip Code | <u>DC 20009</u>              |
| Telephone Number   | <u>240 970 0064</u>          |
| E-mail Address     | <u>mtichaona75@gmail.com</u> |

#### B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

**Defendant No. 1**

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

**Defendant No. 2**

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

**Defendant No. 3**

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

**Defendant No. 4**

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

UNDER 28 U.S.C. § 1331

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) MUNYARADZI TICHADONA, is a citizen of the State of (name) DC.

**b. If the plaintiff is a corporation**

The plaintiff, (name) MERRICK GARLAND (A/G), is incorporated under the laws of the State of (name) DISTRICT OF COLUMBIA, and has its principal place of business in the State of (name) DISTRICT OF COLUMBIA.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation) \_\_\_\_\_.

## b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

## 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

## III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

I AM DENIED ASYLUM HEARING IN ARLINGTON USCIS OFFICE AFTER SPENDING MORE THAN 5 YEARS AFTER FILING. I AM NOW SCHEDULED FOR BRAIN SURGERY ON 08/01/2024

## IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

TO BE REMOVED FROM ALIEN STATUS TO PERMANENT LAWFUL CITIZEN.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

05/13/2024

Signature of Plaintiff

[Signature]

Printed Name of Plaintiff

MUNYARAZI TICHADISA**B. For Attorneys**

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

United States District Court  
For the  
Eastern District of Virginia

Munyaradzi Tichaona { PLAINTIFF }

1944 Calvert street

Washington DC

20009

TO: The Attorney General (Merrick Garland)

US Department of Justice

950 Pennsylvania Ave, NW

Washington DC

20530-0001

Within 21 days (about 3 weeks) after services of these summons on you (not counting the day you received it)- or 60 days if you are a United States Agency, or an officer or Employee of US described in Federal Regulation P12(a)(2)

You must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure.

The answer or motion must be served to:

1944 Calvert Street Apt4

Washington DC

20009

If you fail to respond, judgement by default will be entered against you for the relief demanded in the complaint. You must file your answer or motion with the District Court.

Date.....

Clerk of Court

---

Signature of Clerk/Deputy Clerk

### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing

(1) \_\_\_\_\_, was mailed  
this (2) \_\_\_\_\_ Day of (3) \_\_\_\_\_, to (4) \_\_\_\_\_  
\_\_\_\_\_ at (5) \_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_  
(Your Signature)

#### Instructions

YOU must send a copy of every motion, pleading or document to the defendant(s) or counsel for defendant(s). If you do not send a copy to the defendant(s) or counsel for the defendant(s), the court will not be able to consider your document.

You must prepare and submit one certificate of service for EACH motion, pleading, or document you wish to have considered by the court.

Complete each blank as directed:

(1) Describe the document you are submitting to the court and sending to the defendant(s). (Remember: you should attach a Certificate of Service to each motion, pleading, or document you wish to have considered by the court.)

(2) Day of the month that you give the document to officials for mailing to the defendant(s) or counsel for the defendant(s).

(3) Month and year.

(4) Name of person(s) to whom you are sending a copy of the document. If you send it directly to the defendant(s), list each defendant to whom you send a copy. If you send it to counsel for the defendant(s), list only the name(s) of counsel.

(5) Address(es) that copy is being mailed to.

**NOTE: YOU MUST SIGN THIS FORM.** The court will not accept this form without an original signature.



**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 05/12/2024

Signature of Plaintiff

Adwa.

Printed Name of Plaintiff

MUNYARAZI TICHONA

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

### COMPLAINT

1. It has been 5 years since I filed my I-589 (see attached copy (1))
2. The law requires that I receive an interview within 180 days after filing I-589, I have waited five years. (2-8)
3. I have tried to get the asylum case expedited more than 4 times, the Arlington asylum office has only replied that it does not have the resources to perform the interview (see attached correspondences (9-19))

I requested to be on:

- 4 (a) getting a case expedited request
  - (b) to receive on short notice interview
  - (c) to receive an interview under the Last In First Out (LIFO)
5. I have written to my Congresswoman Eleanor Holmes Norton more than four times and got same response from asylum office. (see attached copy )
6. On 28 March 2024, I walked into the asylum office and made an expedited application citing health reasons as indicated in the medical report by Neurologist Dr Kalhorn after having been diagnosed with brain tumor (subependymoma). I have surgery on 08/01/2024 at Georgetown Hospital and have been forbidden to conduct any business for a minimum of 30 days after the procedure succeeds (see attached medical report (20-25))

7. The least experience is missing filed documents in the file from the asylum office from original I-589 filed in March of 2019.

8. Lastly, I have attached my 2023 tax returns as required by the laws of the land.

(26-43)

With the above mentioned concerns, unattended as they have been, I am left with no other option besides to approach this Honorable Court for consideration.

AHS.  
05/13/2024

### **RELIEF SOUGHT**

The defendants are to be held accountable for failure to supervise and fairly exercise their authority to invite me for an interview within 180 days (about 6 months). I have been Lawfully abiding here for 5 years.

I request the adjustment of status from Alien to a Lawful resident.

Date: 05/10/2024

Signature: AHS.